

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL ACTION NO. 5:20-CV-00157-KDB-DCK**

**CURTIS EDWIN LEYSHON,**

**Plaintiff,**

**v.**

**MICHAEL DUNCAN,  
PAM BARLOW,  
B. CARLTON TERRY, AND  
MATTHEW LEVCHUK,**

**Defendants.**

**ORDER**

**THIS MATTER** is before the Court on Defendants' Motion to Dismiss (Doc. No. 11) and Plaintiff's Motion for Sanctions (Doc. No. 10). The Court has carefully considered these motions and the parties' written filings in support and in opposition to the motions. With due regard for Plaintiff's *pro se* appearance, the Court finds that this Court does not have jurisdiction over this matter, which is barred by the eleventh amendment, and Plaintiff's claims are totally without merit. The detailed reasons for the Court's conclusions are fully described in the cogent and thorough memorandum in support of Defendants' Motion. *See* Doc. No. 11-1. Accordingly, the Court will **GRANT** Defendants' motion to dismiss. The Court further finds that Plaintiff's Motion for Sanctions should be **DENIED** because the Court finds in the exercise of its judgment and discretion that the parties made sufficient good faith efforts to participate in an initial settlement conference and the imposition of sanctions is therefore not appropriate.

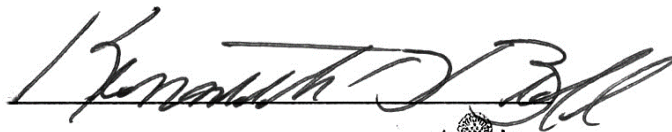
## ORDER

### NOW THEREFORE IT IS ORDERED THAT:

1. Defendants' Motion to Dismiss (Doc. No. 11) is **GRANTED**;
2. Plaintiff's Motion for Sanctions (Doc. No. 10) is **DENIED**; and
3. The Clerk is directed to close this matter in accordance with this Order;

### SO ORDERED ADJUDGED AND DECREED.

Signed: December 22, 2020

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell  
United States District Judge

